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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/813,604	03/20/2001	Larry Leighton	257/265	3015

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EXAMINER

MONDT, JOHANNES P

ART UNIT PAPER NUMBER

2826

DATE MAILED: 01/29/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/813,604

Applicant(s)

LEIGHTON ET AL.

Examiner

Johannes P Mondt

Art Unit

2826

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 16 December 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

**DETAILED ACTION**

***Election/Restrictions***

1. Claims 9-16 have been withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected device invention, there being no allowable generic or linking claim. Election was made **without** traverse in Paper No. 13.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. ***Claims 1-2 and 4*** are rejected under 35 U.S.C. 102(b) as being anticipated by Bartlow (5,023,189). Bartlow teaches a method of manufacturing a power transistor circuit (cf. column 2, lines 16-19), comprising carrying out the following steps in the enumerated order:

(1) securing a die (numerals 60-63; cf. column 3, line 47) to a substrate 64 (cf. column 2, lines 24-26), the die comprising a transistor (cf. column 2, line 25) having inherently an input terminal E (cf. Figure 4);

(2) measuring a performance characteristic of the transistor (cf. column 2, lines 24-29);

(3) using one or more wires to electrically couple the transistor input terminal to an input matching element, an input signal lead (cf. column 3, line 66 – column 4, line 1), or both;

(4) setting the impedance of the one or more wires (cf. column 3, line 66 – column 4, line 3 and column 4, lines 12-21) based at least in part on the measured transistor performance characteristic from step (2) (cf. abstract and column 2, line 30).

*With regard to claim 2:* the performance characteristic is defined, at least in part, through the input impedance as determined from the cell-to-cell and intra-cell temperature distributions (cf. column 2, lines 26-32).

*With regard to claim 4:* the impedance of the one or more wires is set by selecting a length of at least one wire used to make at least one electrical connection of the transistor circuit (cf. column 4, lines 21-22).

4. **Claims 5-6 and 8** are rejected under 35 U.S.C. 102(b) as being anticipated by Bartlow (5,023,189). Bartlow teaches a method of manufacturing a power transistor circuit (cf. column 2, lines 16-19), comprising carrying out the following steps in the enumerated order:

(1) securing a die to a substrate (cf. column 2, lines 24-26), the die comprising a transistor (cf. column 2, line 25) having an output terminal C (cf. column 4, lines 8-11);

(2) measuring a performance characteristic of the transistor (cf. column 2, lines 24-29);

(3) using one or more wires to electrically couple the transistor output terminal to an output matching element (cf. column 4, lines 8-11), an output signal lead, or both;

(4) setting the impedance of the one or more wires (cf. column 2, lines 30-32, and column 4, lines 8-18) based at least in part on the measured transistor performance characteristic from step (2) (cf. column 2, line 30).

*With regard to claim 6:* the performance characteristic is defined, at least in part, through the output impedance as determined from the cell-to-cell and intra-cell temperature distributions (cf. column 2, lines 26-32).

*With regard to claim 8:* the impedance of the one or more wires is set by selecting a length of at least one wire used to make at least one electrical connection of the transistor circuit (cf. column 4, lines 8-11).

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. ***Claims 3 and 7*** are rejected under 35 U.S.C. 103(a) as being unpatentable over Bartlow (5,023,189) in view of Masuno et al (JP406006150A) and Shimizu et al (6,331,804). As detailed above, Bartlow anticipates claims 1 and 5 (on which claims 3 and 7 respectively depend). Bartlow does not necessarily teach the further limitations of either claims 3 or 7. However, in the closely related art of a high-frequency transistor circuit Masuno et al teach the adjustment of impedance through inter alia either the length or *the number* of wires in an impedance matching connection. Furthermore, although the specific teaching by Masuno et al pertains to the input side, it is

understood in the art that matching circuits can be applied equally either to the input or to the output side, as evidenced by Shimizu et al (cf. Figures 1, 4 and column 6, lines 43-49). Motivation to include the teachings by Masuno et al and Shimizu et al in the invention taught by Bartlow stems from an added variable that can be exploited for the adjustment of the input or output impedance, thus further facilitating the impedance adjustment in terms of range and accuracy. Combination of the aforementioned teachings with the invention by Bartlow can be readily achieved, because both input and output metal surfaces allow for the variation of the number of wires that can be attached to said input and output metal surfaces (cf. Figure 4). Success of the implementation of the aforementioned combination can therefore be reasonably expected.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Johannes P Mondt whose telephone number is 703-306-0531. The examiner can normally be reached on 8:00 - 18:00.

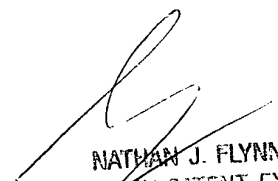
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan J Flynn can be reached on 703-308-6601. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-7722 for regular communications and 703-308-7724 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

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JPM  
January 24, 2003



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